

R E M A R K S

Careful review and examination of the subject application are noted and appreciated.

Applicant thanks Examiner An for the indications of allowable matter.

SUPPORT FOR THE CLAIM AMENDMENTS

Support for the claim amendments may be found in the specification, for example, on page 16 lines 6-9, page 17 lines 14-19, page 20 lines 5-6, page 20 lines 14-19, page 21 lines 12-14 and FIGS. 2-4 as originally filed. Thus, no new matter has been added.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

The rejection of claims 1, 2, 8-13 and 19-26 under 35 U.S.C. §102(b) as being anticipated by Ohki '628 is respectfully traversed and should be withdrawn.

Ohki is directed to a video signal coding method and apparatus (Title). In contrast, the present invention provides a method for encoding $K > 1$ pictures of video. The method generally comprises the steps of (a) dividing each of the K pictures into an $m > 1$ row by an $n > 1$ column array of coding units and (b) selecting a pseudo random pattern of the coding units for refreshing during each of the K pictures. Each of the pseudo random patterns selected during any given one of the K pictures including a

sequence of one or more of the coding units. Wherein (i) each of the coding units selected for refreshing during a k^{th} picture of the K pictures occupy different positions than each of the coding units selected for refreshing during a preceding one of a 1^{st} to a $(k-1)^{\text{th}}$ pictures of the K pictures and (ii) each of the positions from the K pictures is selected for refreshing once over the K pictures.

Claim 1 provides a step for selecting a pseudo random pattern of a plurality of coding units for refreshing during each of a plurality of pictures. Despite the assertion on page 2, item 2 of the Office Action, the text in column 4, lines 1-8 of Ohki appear to be silent regarding pseudo random patterns. The text of Ohki cited in the Office Action reads:

Generally, video signals representing fine patterns or moving objects achieve a higher coding efficiency in inter-field coding than in intra-field coding. Therefore, the quantity of codes required for refreshing can be reduced by subjecting the scanning lines to be refreshed in even-number fields to interfield coding. This means that the aforementioned overhead in buffer occupancy control can be reduced to improve the picture quality.

Nowhere in the above text, or in any other section does Ohki appear to discuss pseudo random patterns for forced refreshing. Therefore, Ohki does not appear to disclose or suggest a step for selecting a pseudo random pattern of a plurality of coding units for refreshing during each of a plurality of pictures as presently claimed. Claims 12 and 24 provide language similar to claim 1. As such, the claimed invention is fully patentable over the cited reference and the rejection should be withdrawn.

Claim 9 provides a plurality of pseudo random patterns are decorrelated among a plurality of K pictures. In contrast, Ohki appears to be silent regarding decorrelating forced refresh patterns. Furthermore, the Office Action did not provide any evidence that Ohki discloses or suggests that pseudo random patterns are decorrelated among a plurality of K pictures as presently claimed. Claim 20 provides language similar to claim 9. As such, claims 9 and 20 are fully patentable over the cited reference and the rejection should be withdrawn.

Claim 10 provides a starting and an ending coding unit of a plurality of coding units in each of a plurality of sequences within each of a plurality of pictures are located in different columns of an array over successive ones of the pictures. In contrast, Ohki appears to be silent regarding starting and ending blocks being in different columns. Furthermore, the Office Action has not provided any evidence that Ohki discloses or suggests a starting and an ending coding unit of a plurality of coding units in each of a plurality of sequences within each of a plurality of pictures are located in different columns of an array over successive ones of the pictures as presently claimed. Claim 21 provides language similar to claim 10. As such, claims 10 and 21 are fully patentable over the cited reference and the rejection should be withdrawn.

Claim 25 provides a step for decoding a plurality of coding units from a picture of a video signal, the coding units being partitioned among a plurality of groups in the picture according to a pattern, each of the groups comprising a plurality of sequences and each of the sequences comprises at least one of the coding units. In contrast, Ohki appears to be silent regarding the blocks of a picture being partitioned among groups each comprising a plurality of sequences each having at least one of the blocks. Therefore, Ohki does not appear to disclose or suggest a step for decoding a plurality of coding units from a picture of a video signal, the coding units being partitioned among a plurality of groups in the picture according to a pattern, each of the groups comprising a plurality of sequences and each of the sequences comprises at least one of the coding units as presently claimed. Claim 26 provides language similar to claim 25. As such, the claimed invention is fully patentable over the cited reference and the rejection should be withdrawn.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

The rejection of claims 11 and 22 under 35 U.S.C. §103(a) as being unpatentable over Ohki is respectfully traversed and should be withdrawn.

Claims 11 and 22 depended either directly or indirectly from independent claims 1 or 12, which are now believed to be

allowable. Furthermore, the assertion on page 3, item 3 of the Office Action that the claim elements are "considered an obvious feature" appears to be merely a conclusory statement lacking any support evidence. The fact that a reference can be modified is not sufficient to establish *prima facie* obviousness (MPEP §2143.01). Therefore, the Office Action has failed to establish *prima facie* obviousness. As such, claims 11 and 22 fully patentable over the cited reference and the rejection should be withdrawn.

COMPLETENESS OF THE OFFICE ACTION

Aside from a notice of allowance, Applicant's representative respectfully requests any further action on the merits be presented as a non-final action. 37 CFR §1.104(b) states:

(b) *Completeness of examiner's action.* The examiner's **action will be complete as to all matters**, except that in appropriate circumstances, such as misjoinder of invention, fundamental defects in the application, and the like, the action of the examiner may be limited to such matters of form need not be raised by the examiner until a claim is found allowable. (Emphasis added)

No arguments were directed to the dependent claims 2, 9, 10, 13, 20 and 21. Since no previous rejections were made to the above dependent claims, the Office Action is not complete.

Accordingly, the present application is in condition for allowance. Early and favorable action by the Examiner is respectfully solicited.

The Examiner is respectfully invited to call the Applicant's representative at 586-498-0670 should it be deemed beneficial to further advance prosecution of the application.

If any additional fees are due, please charge Deposit Account No. 12-2252.

Respectfully submitted,

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